

## IN THE SENATE

## SENATE BILL NO. 1191

## BY FINANCE COMMITTEE

## AN ACT

1 APPROPRIATING MONEYS TO THE OFFICE OF THE STATE APPELLATE PUBLIC DE-  
2 FENDER FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED  
3 FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON  
4 PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN  
5 EMERGENCY.  
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. There is hereby appropriated to the Office of the State Appellate Public  
9 Defender the following amounts to be expended according to the designated expense classes  
10 from the listed fund for the period July 1, 2009, through June 30, 2010:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	TOTAL
11 FROM:			
12 General Fund	\$1,503,100	\$642,600	\$2,145,700

16 SECTION 2. In accordance with Section 67-3519, Idaho Code, the Office of the State  
17 Appellate Public Defender is authorized no more than twenty-one (21) full-time equivalent po-  
18 sitions at any point during the period July 1, 2009, through June 30, 2010, for the program  
19 specified in Section 1 of this act, unless specifically authorized by the Governor. The Joint  
20 Finance-Appropriations Committee will be notified promptly of any increased positions so au-  
21 thorized.

22 SECTION 3. LEGISLATIVE INTENT. It is the intent of the Legislature to retain to the  
23 extent possible, our capable, quality employees who support the essential services and statuto-  
24 rily authorized programs that the citizens of Idaho expect. The Legislature finds these critical  
25 essential services to be those that maintain the health and safety of our citizens and the ed-  
26 ucation of our children. While extending flexibility to the Governor and agency directors to  
27 manage the state workforce to the best of their ability during these difficult times, it remains the  
28 responsibility of the Legislature to identify priorities for the state workforce. The Legislature  
29 finds that reductions in personnel funding shall first be managed through salary reductions that  
30 impact all personnel fairly; secondly, be mitigated by the use of existing salary savings; thirdly,  
31 by using savings created by keeping newly vacated positions unfilled; fourth, by the use of fur-  
32 loughs; and lastly, as a last resort, by reducing the workforce. It is the intent of the Legislature  
33 that these policies shall be adhered to by the executive, legislative, and judicial branches to the  
34 extent allowed by law.

1       SECTION 4. SALARY REDUCTION. Inasmuch as salary reductions will save jobs; and  
2 inasmuch as a five percent (5%) reduction in personnel funding may create a reduction in force;  
3 and inasmuch as the state as a single employer of multiple departments and agencies is required  
4 by law to direct across the board salary adjustments; agencies and institutions shall reduce all  
5 salaries of classified and nonclassified employees, regardless of fund source, by three percent  
6 (3%) for fiscal year 2010, beginning on June 14, 2009, through June 12, 2010. Agencies shall  
7 use personnel cost savings, furloughs, and a reduction in force to manage the remaining two  
8 percent (2%) in funding reductions. The Division of Human Resources shall adjust all pay  
9 schedules for the classified personnel system downward to the extent that all beginning mini-  
10 mum salaries are three percent (3%) less than those in effect upon the date of passage of this  
11 law.

12       SECTION 5. An emergency existing therefor, which emergency is hereby declared to  
13 exist, Section 4 of this act shall be in full force and effect on and after passage and approval.